

Message Text

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ORIGIN L-03

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DRAFTED BY L/M:HFSHAMWELL:MFM
APPROVED BY L/M:KEMALMBORG
SCA/SCS - MRS. MULLIN
EUR/WE - MR. MCKINLEY

-----132215Z 054567 /64

P R 132027Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY ROME PRIORITY
INFO AMCONSUL FLORENCE
AMCONSUL GENOA
AMCONSUL MILAN
AMCONSUL NAPLES
AMCONSUL TRIESTE
AMCONSUL TURIN

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E.O. 11652: N/A

TAGS: PDIP, IT

SUBJECT: NEW U.S.-ITALY CONSULAR CONVENTION: GOI
PROPOSAL TO RESUME BILATERAL NEGOTIATIONS IN ROME

1. THE ITALIAN EMBASSY IN ROME HAS SUBMITTED A DIPLOMATIC
NOTE PROPOSING A CONTINUATION OF BILATERAL NEGOTIATIONS ON
THE CONSULAR CONVENTION TO BE HELD IN ROME ON JUNE 28, 29
AND 30. THESE NEGOTIATIONS WERE INITIATED IN WASHINGTON IN
MAY, 1975 AND ACHIEVED CONSIDERABLE PROGRESS TOWARDS FORMU-
LATING A DRAFT BASED UPON THE U.S.-CZECHOSLOVAKIA CONSULAR
CONVENTION OF 1973. AREAS IN WHICH ADDITIONAL EXCHANGES
ARE REQUIRED INCLUDE DETAILED PROVISIONS ON CONSULAR ACCESS
TO DETAINED SENDING STATE NATIONALS (INCLUDING SPECIFIC
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TIME LIMITS FOR BOTH INITIAL NOTIFICATION OF DETENTION AND
ACCESS THEREAFTER), PRIVILEGES AND IMMUNITIES FOR CONSULAR
OFFICERS AND CONSULAR EMPLOYEES (INCLUDING CLARIFICATION OF
THE STATUS OF LOCALLY-ENGAGED CONSULAR EMPLOYEES WHO RE-
CEIVE SUBSEQUENT APPOINTMENTS AS CONSULAR OFFICERS) AND,
MORE COMPREHENSIVE PROVISIONS ON RIGHTS AND PRIVILEGES OF
CONSULAR OFFICERS IN DEATH/ESTATE MATTERS. OTHER ISSUES

NORMALLY INCLUDED IN BILATERAL CONSULAR CONVENTIONS WILL ALSO BE EXAMINED, BUT IT IS NOT BELIEVED THAT ANY SERIOUS PROBLEMS WILL BE PRESENTED.

2. IT IS NOT ANTICIPATED THAT THE NEGOTIATIONS WILL REQUIRE ANY SIGNIFICANT DEGREE OF FORMALITY, AND IT IS HOPED THAT MUCH OF THE TIME WILL BE DEVOTED TO DEVELOPING FINAL LANGUAGE FOR INCLUSION IN THE NEW TREATY. L, SCA AND EUR BELIEVE THAT THE GOI PROPOSAL OFFERS A CONVENIENT OPPORTUNITY FOR MAKING SUBSTANTIAL PROGRESS FOR CONCLUDING THE NEW AGREEMENT WHICH HAS BEEN ON THE DRAWING BOARDS FOR SEVERAL YEARS AND THE DEPARTMENT HAS COMMUNICATED ITS AGREEMENT TO RESUMPTION OF NEGOTIATIONS TO THE ITALIAN EMB.

3. IT IS NOTED FOR EMBASSY'S BACKGROUND THAT, DURING THE PAST YEAR, THE DEPARTMENT HAS BEEN SUBJECT TO A GAO AUDIT OF ITS CONSULAR OPERATIONS, WITH SPECIFIC ATTENTION TO CONSULAR CONVENTIONS WHICH HAVE BEEN PENDING FOR SOME TIME. FOR THIS REASON, IN ADDITION TO THE PRACTICAL AND POLITICAL BENEFITS WHICH CONCLUSION OF A NEW BILATERAL TREATY WOULD PROVIDE, THE DEPARTMENT STRONGLY SUPPORTS THE GOI PROPOSITION. HORACE F. SHAMWELL, JR., DEPUTY ASSISTANT LEGAL ADVISER FOR MANAGEMENT, WHO FOR SEVERAL YEARS HAS BEEN RESPONSIBLE FOR MANAGING BILATERAL CONSULAR CONVENTION NEGOTIATIONS FOR THE DEPARTMENT, WILL BE IN EUROPE FROM JUNE 12 ON OTHER BUSINESS AND HAS BEEN DESIGNATED TO TRAVEL TO ROME FOR THE PURPOSE OF REPRESENTING THE DEPARTMENT IN THE PROPOSED NEGOTIATIONS. HE WILL BE JOINED IN ROME BY MRS. LILLIAN P. MULLIN, ASSISTANT CHIEF, CLAIMS, DEATHS
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AND JUDICIAL SERVICES DIVISION, SPECIAL CONSULAR SERVICES. THESE OFFICERS HEADED THE U.S. TEAM DURING THE 1975 NEGOTIATIONS AND ARE FULLY FAMILIAR WITH THE ISSUES INVOLVED. IT IS HOPED THAT, DESPITE THE SHORT NOTICE, NECESSITATED BY THE DEPARTMENT'S RECEIPT OF THE EMBASSY'S NOTE ON JUNE 3, THE EMBASSY WILL BE ABLE TO ACCOMMODATE THIS THREE-DAY MEETING. DEPARTMENT IS POUCHING FOR EMBASSY'S BACKGROUND A COPY OF THE SUMMARY REPORT OF THE 1975 NEGOTIATIONS AND A RECENT MEMORANDUM OF CONVERSATION BETWEEN MR. SHAMWELL AND MARIO CAPPETTA, COUNSELOR OF THE ITALIAN EMBASSY IN WASHINGTON. THESE DOCUMENTS SHOULD BE SUFFICIENT TO BRING THE EMBASSY UP TO DATE ON THE STATE OF THE BILATERAL DISCUSSIONS ON THE NEW TREATY. ANY OTHER MATERIAL WHICH THE DEPT. BELIEVES WOULD BE HELPFUL WILL BE SENT AS SOON AS POSSIBLE. SPECIFIC TRAVEL PLANS FOR MR. SHAMWELL WHO IS SCHEDULED TO ARRIVE FROM OSLO ON OR ABOUT JUNE 26 AND MRS. MULLIN WHO SHOULD ARRIVE FROM WASHINGTON ON THE SAME DATE WILL BE CABLED SEPARATELY. IT IS REQUESTED THAT SINGLE ACCOMMODATIONS WITH BATH AT A REASONABLY PRICED HOTEL BE

SECURED FOR THE TWO DEPARTMENT OFFICERS FOR THE PERIOD OF
THE DISCUSSIONS.

4. EMBASSY IS ALSO REQUESTED TO SUPPLY THE NAME OF AN
EMBOFF WITH WHOM CONTACT CAN BE MADE BY THE ITALIAN MOFA

TO ASSIST IN ANY FURTHER PREPARATIONS WHICH MAY BE DESIR-
ABLE. IF THIS OFFICER (OR OFFICERS) WOULD BE AVAILABLE TO
MEET WITH THE U.S. TEAM ON JUNE 27 IT IS BELIEVED THAT SUCH
A MEETING WOULD BE QUITE USEFUL.

5. IT IS REQUESTED THAT ANY SUBSEQUENT TRAFFIC ON THIS
SUBJECT BE PROVIDED ON AN INFORMATION BASIS TO MR. SHAMWELL
AT EMBASSY OSLO. VANCE

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Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Event:
Disposition History: n/a
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